

1 COHEN-JOHNSON, LLC
H. Stan Johnson, Esq. (SBN: 0265)
2 (sjohnson@cohenjohnson.com)
375 E. Warm Springs Road, Suite 104
3 Las Vegas, Nevada 89119
Telephone: (702) 823-2500
4 Facsimile: (702) 823-3400

5 QUINN EMANUEL URQUHART & SULLIVAN, LLP
Shon Morgan (*Pro Hac Vice*)
6 shonmorgan@quinnemanuel.com
Jack Baumann (*Pro Hac Vice*)
7 jackbaumann@quinnemanuel.com
865 South Figueroa Street, 10th Floor
8 Los Angeles, California 90017-2543
Telephone: (213) 443-3000
9 Facsimile: (213) 443-3100

10 Cristina Henriquez (*Pro Hac Vice*)
(cristinahenriquez@quinnemanuel.com)
11 555 Twin Dolphin Drive, 5th Floor
Redwood Shores, California 94065
12 Telephone: (650) 801-5000
Facsimile: (650) 801-5000
13

Attorneys for Defendants

14 ANCESTRY.COM OPERATIONS INC.,
ANCESTRY.COM INC., and ANCESTRY.COM LLC
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16 **UNITED STATES DISTRICT COURT**
17 **DISTRICT OF NEVADA**

18 ANTHONY SESSA and MARK SESSA, on
19 behalf of themselves and all others similarly
20 situated,

21 Plaintiffs,

22 vs.

23 ANCESTRY.COM OPERATIONS INC.,
a Virginia Corporation;
24 ANCESTRY.COM, INC., a Delaware
Corporation; ANCESTRY.COM LLC,
25 a Delaware Limited Liability Company; and
DOES 1 through 50, inclusive,

26 Defendants.
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Case No. 2:20-cv-02292

**DECLARATION OF TODD GODFREY IN
SUPPORT OF ANCESTRY'S
OPPOSITION TO PLAINTIFFS'
MOTION TO COMPEL**

DECLARATION OF TODD GODFREY

I, Todd Godfrey, declare as follows:

1. I am Vice President of Global Content for Ancestry.com Operations Inc., a wholly-owned subsidiary of Ancestry.com Inc. Ancestry.com Inc. is the parent of Ancestry.com Operations Inc. In this declaration, I collectively refer to these entities as “Ancestry” and distinguish among them only if necessary to ensure accuracy and clarity. I make this declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and would testify competently thereto.

2. Since 2008, I have been employed by Ancestry, a genealogy company that owns and operates the public website Ancestry.com. As part of my job responsibilities, I am familiar with Ancestry’s operations and record keeping, and I have reviewed Ancestry’s business records and other documents that provide the basis for my statements. Through this review and based on my personal knowledge, which I obtained through my employment, training and expertise at Ancestry, I have personal knowledge of the facts stated in this declaration.

3. Records within a single yearbook can and have been uploaded to Ancestry’s database on different dates.

4. Ancestry does not track yearbook record launches at the individual yearbook or yearbook record level, but rather tracks them at a “collection” level instead. Ancestry does not track which yearbook records were a part of each collection. Thus, identifying the publication date for a given yearbook or yearbook record requires Ancestry to link that record back to a “collection” of which it was a part, and determine the date the collection was uploaded or last updated. For some yearbooks and yearbook records, this information is more readily available than it is for others, depending on the collection the record or yearbook is a part of. While Ancestry might be able to identify dates when yearbook collections were updated, it might not be able to determine what new uploads were contained in each of those updates.

5. The yearbooks collection has been updated several times since its original release in 2010. The earlier releases were completed using multiple toolsets and processes that have been replaced and are no longer supported.

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CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b)(2)(E), I hereby certify that on this day, I caused a true and correct copy of the foregoing to be served via the Court’s electronic system on all registered and active parties.

DATED December 2, 2022.

/s/ Shon Morgan
Shon Morgan